

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF THE DISTRICT COUNCIL NO. 9)	
PAINTING INDUSTRY INSURANCE FUND and)	Index No.: 24-CV-03286 (CS)
TRUSTEES OF THE DISTRICT COUNCIL NO. 9)	
PAINTING INDUSTRY ANNUITY FUND and)	
TRUSTEES OF THE DISTRICT COUNCIL NO. 9)	
FINISHING TRADES INSTITUTE and TRUSTEES)	
OF THE INTERNATIONAL UNION OF PAINTERS)	
AND ALLIED TRADES NATIONAL PENSION)	
FUND and THE DISTRICT COUNCIL NO. 9)	
INTERNATIONAL UNION OF PAINTERS AND)	
ALLIED TRADES,)	DEFAULT JUDGMENT
)	
Plaintiffs,)	
)	
)	
-against-)	
)	
PRIME INSTALLATIONS INC.,)	
)	
Defendant.)	

This action having been commenced on April 30, 2024, by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been served on the Defendant, Prime Installations Inc., on May 2, 2024 via NYS Secretary of State and said Proof of Service having been filed with the Clerk of the Court on May 7, 2024 and the Defendant not having appeared, answered or otherwise moved with respect to the Complaint within the time allowed by law, and the time for appearing, answering or otherwise moving having expired it is,

ORDERED, ADJUDGED AND DECREED: that the Plaintiffs have judgment against Defendant in the liquidated amount of Two Thousand Eight Hundred Eighty Five Dollars (\$2,885.00) which includes the following: attorneys' fees in the sum of \$2,403.00 and court costs and disbursements of this action in the sum of \$482.00; *and*

ORDERED, that the Defendant permit and cooperate in the conduct of an audit of all of its books and records including, but not limited to, all payroll journals, business income tax returns, general ledger and journal, books of original entry, subsidiary ledgers, payroll records, bank statements, and cancelled checks, W-2 and W-3 forms, 940, 941, WT4-A and WT4-B forms, 1099 forms, New York State employment report, insurance reports, disability insurance reports, Workers Compensation report forms and remittance reports for all jobs worked during the period covered by the Memorandum of Agreement executed on October 10, 2022 in accordance with the Trade Agreement and ~~directing~~ that the Court retain jurisdiction for the limited purpose of permitting Plaintiffs to make an application to amend the judgment should the Defendant comply with the audit and to include the additional amounts determined by the audit to be due and owing, together with the interest, liquidated damages, auditors' fees and attorneys' fees, *and*

ORDERED, that the Judgment rendered by the court on this day in favor of the Plaintiffs be entered as a final judgment against Defendant and the Clerk of the Court is directed to enter such judgment forthwith.

Dated: White Plains, New York
8/28, 2024

So Ordered:

Cathy Seibel

Honorable Cathy Seibel, U.S.D.J.